

**RECEIVED**  
CENTRAL FAX CENTER

**PATENT**

NOV 03 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Application**

**Nikoai Leung et al.**

**Serial No. 09/933,971**

**Examiner: Chi Ho A Lee**

**Filed: August 20, 2001**

)  
) **For: Method and Apparatus for**  
) **Overhead Messaging in a Wireless**  
) **Communication System**  
)  
)  
)  
) **Group No. 2663**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 5, 2005, rejecting Claims 1 – 10. The fee for this Notice of Appeal (37 § 1.17(b) is \$500.00. Applicant hereby petitions a three (3) month Extension of Time.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name: \_\_\_\_\_  
(type or print name)

11/04/2005 NGUYEN 00000028 170026 09933971

01 FC:1401 500.00 DA  
02 FC:1253 1020.00 DA  
Signature: \_\_\_\_\_

**FACSIMILE**

- ☒ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Sheryl Schoen  
(type or print name)

Date: November 3, 2005

Signature: \_\_\_\_\_

*Sheryl Schoen*

Attorney Docket No.:  
Customer No.: 23696

1



## OFFICIAL COMMUNICATION

5775 Morehouse Drive  
San Diego, CA 92121  
Fax: (858) 658-2502

*Facsimile Transmittal*

DATE: November 3, 2005  
TO: AF  
Commissioner for Patents  
ATTN: Examiner: Chi Ho A Lee  
Art Unit: 2663

RECEIVED  
CENTRAL FAX CENTER  
NOV 03 2005

FAX NUMBER: (571) 273-8300

FROM: Kam T. Tam, Attorney for Applicant  
Registration No. 35,756

Total Number of Pages Sent: 7 (including this transmittal cover sheet)

\*\*\*\*\*  
FILING BY FACSIMILE:

ATTORNEY DOCKET NO.: 010439

## ENCLOSED ARE:

- Notice of Appeal (3 pages) in duplicate

RECEIVED  
OIPE/IAP

NOV 04 2005

APPLICANT: Nikolai Leung et al.  
ASSIGNEE: QUALCOMM Incorporated  
SERIAL NO.: 09/933,971  
FILED: August 20, 2001  
FOR: Method and Apparatus for Overhead Messaging in a Wireless Communication System

\*\*\*\*\*  
Please contact Sheryl Schoen at (858) 658-5102 if all pages do not transmit.

**Special Instructions:** THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND CONTAINS INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you!